

**October 30, 2008 Minutes of
Bigfork Land Use Advisory Committee**

Committee members present: Darrel Coverdell, John Bourquin, Shelley Gonzales, Gary Ridderhoff, Paul Guerrant, Charles Gough, Al Johnson and 16 members of the public.

Chairman Gonzales called the meeting to order at 4: 03 pm.

The Agenda was adopted as amended (m/sc Coverdell/Gough).

The minutes for September 25, 2008 were approved as corrected. (m/sc Guerrant/Bourquin)

Chairman Gonzales read the “ground rules” of BLUAC meetings.

ADMINISTRATOR’S REPORT:

A. Sign-in Sheet: Reminder to the public of the availability of BLUAC minutes through email and BSC website bigforksteering.org/.

B. Application status: Board of Adjustment approved the Stoddard application and continued the Shaggagi application until November.

Applicant SNAF, LLC requested addressing their application later in the meeting.

APPLICATIONS:

B. A request by Montana Build Construction, LLC for Preliminary Plat approval of Timber Bay Townhouses, and eight (8) townhouse lot subdivision on 0.625 acres. Lots in the subdivision are proposed to have public water and sewer systems. The property is located at 655 Commerce Street.

Staff: Diana Broudie noted the applicant, Montana Build Construction, LLC had begun construction of their project under an Administrative Conditional Use Permit issued by the Flathead Planning & Zoning Department. Property was previously owned by Dancing Fox, LLC and the request for Preliminary Plat approval was due to a change in selling methods. The original Conditional Use Permit for the property was proposed for one building, sold as a condominium. The current owners would like to build two units on the property and sell as townhomes, which would fall under subdivision regulations. The number of units, eight (8), would remain the same. With a townhome structure the buyers would own the land under the unit and the common area in this instance would be owned jointly by all owners. With condominiums the property remains under one owner. Under the current design there will be a different parking configuration and has a deeper setback from Commerce Street. We are recommending approval for this application.

Tom Windham, Jr: Represents Montana Build Construction, LLC and displayed a rendering of the proposed sight design. He had nothing more to add to the Staff report.

Bourquin: 1) Does this include cash in lieu of open space/park? A. That will be required. 2) Will the common area be covered with a management agreement or CCR’s? A. That will be required.

Guerrant: Are the parking allowances the same as the previous CU? A. There are more parking spaces in this proposal.

Gonzales: 1) Is the smaller parking area gravel with emergency access from Commerce? A. All parking will be paved and the emergency access is no longer planned. The Bigfork Fire Department has approved the change stating they can access both sides of the project safely. 2) The Exhibit 4 in the

application seems irrelevant to this project? A. That was a copying error; it is not relevant to the project.

Coverdell: Does the parking on Commerce and the sidewalk crowd the building? A. It does not crowd the building. There will be a public sidewalk with parallel parking.

Gonzales: Will Terrace be paved to County standards and when does that happen? A. It will be upgraded to County standards and will be completed before final plat.

Johnson: I understand there better lighting standards under the new subdivision regulations. Will those apply here? A. The previous Conditional Use requires those standards and will carry forward with this application.

Gough: 1) Does the design plan cover adequate onsite retention of stormwater? A. It does. We have received approval of the plan from the Montana DEQ. 2) Would the design add to stormwater flow off the property? A. The DEQ determines the impact of stormwater flow before they approved the design.

Public Agencies:

Julie Spencer: The Bigfork Water & Sewer has capacity at this time for eight connections and will run service from Commerce. They have the option to extend the main on Terrace if they choose to do that.

Public Comment:

Craig Wagner: 1) What will be the list price of the units? A. That hasn't been determined but may be in the area of \$300,000 or higher. 2) Is the project ADA compliant? A. The outside surface area is ADA compliant but the units are not designed for ADA.

Alex Hogle: Regarding ADA compliance, there are specific thresholds, which comply with applicable conditions under Montana State law. That is something that would need to be drafted into conditions.

BLUAC:

Bourquin: I would like to see you (staff) follow up with the clear vision triangle at the intersection of Terrace and Grand.

Coverdell: Does stormwater retention need to be added to the conditions? A. That is part of the conditions for approval of the final Plat.

Ridderhoff: How were they able to start construction before going through the subdivision process? A. They had approval under the Administrative Conditional Use approved by the Planning Office and under all the conditions previously approved.

Johnson: Will all the previously approved conditions apply to this application and what if it isn't approved? A. They must comply with all previous conditions with modifications. If the subdivision application were not approved, they would not be able to sell as townhomes. Conditional Use Permits stay with the land. Subsequent owners are bound by the conditions.

Coverdell moved the Montana Build, LLC Preliminary Plat application be recommended for approval with all conditions. Guarrant seconded the motion. Motion was approved unanimously.

The application will be heard by the Planning Board, Flathead County Planning & Zoning Office, 1035 First Avenue West, Kalispell, on November 19, 2008, at 6:00 p.m.

A. A Zone Change request in the Bigfork Zoning District by SNAF, LLC, from R-3 (One Family Residential) to B-3 (Community Business). The properties are located at 124 Holt Drive and 132 Holt Drive and contain approximately .065 acres.

Staff: Alex Hogle reported the applicant has requested their application be continued for one month. Louise Tidwell, representing SNAF, LLC, asked the application be heard at the next available BLUAC meeting.

Chuck Gough moved the SNAF, LLC Zone Change application be continued, including the hearing at the Flathead County Planning Board, so as not to bypass BLUAC for consideration. Bourquin seconded the motion. Motion passed unanimously.

Louise Tidwell told the committee SNAF, LLC will be holding a community meeting at the old bowling alley building on Wednesday, November 5, 2008, 5:30 p.m. to discuss plans with neighbors and interested parties.

OLD BUSINESS:

A. Compression Brake Sign: Craig Wagner reported he has spoken to Commissioner Brenneman who assured he would contact MDOT to get the sign installed.

B. Meetings with County P & Z Chair, Vice-chair and Commissioner: Gonzales suggested discussing this with the Planning Board members during the meeting on the BNP in November.

C. Bigfork Neighborhood Plan/Planning Board Workshop: A workshop is scheduled with the Flathead County Planning Board on Thursday, November 20, 2008 at 6:00 p.m. at the Earl Bennett Building. Secretary will post notice of this meeting.

D. County Attorney re: Sign Violations: Chairman Gonzales reported her conversations with Deputy County Attorney Tara Fugina (sp?). The VFW has moved their sign and fireworks building to the back of the property. Fugina has met with Scott Johnson, owner of Grizzly Jacks. She also indicated that Forkins Echo Lake Store has been sold. Discussion of the committee included the information that Forkins had not sold and was leased to a meat processing business that was using the sign to advertise. Bigfork Auto Parts has put their sign back out after removing it previously. Gonzales will discuss these issues with Fugina.

NEW BUSINESS:

PUBLIC COMMENT:

Meeting was adjourned at 5:20 p.m.

Sue Hanson
BLUAC Secretary

